

1 KARL OLSON (SBN 104760)
2 AARON R. FIELD (SBN 310648)
3 IRENE LEE (SBN 331485)
4 CANNATA O'TOOLE FICKES & OLSON LLP
5 100 Pine Street, Suite 350
6 San Francisco, California 94111
7 Telephone: (415) 409-8900
8 Facsimile: (415) 409-8904
9 Email: kolson@cofolaw.com
10 afield@cofolaw.com
11 ilee@cofolaw.com

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14 Attorneys for Plaintiff
15 AMERICAN SMALL BUSINESS LEAGUE

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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 OAKLAND DIVISION

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23 AMERICAN SMALL BUSINESS
24 LEAGUE,

25 Plaintiff,

26 v.

27 UNITED STATES OFFICE OF
28 MANAGEMENT AND BUDGET,

Defendant.

CASE NO. 4:20-cv-07126-DMR

**DECLARATION OF LLOYD CHAPMAN
IN SUPPORT OF PLAINTIFF AMERICAN
SMALL BUSINESS LEAGUE'S
OPPOSITION TO DEFENDANT UNITED
STATES OFFICE OF MANAGEMENT
AND BUDGET'S MOTION FOR
SUMMARY JUDGMENT AND CROSS-
MOTION FOR SUMMARY JUDGMENT**

29
30 Date: April 28, 2022
31 Time: 1:00 p.m.
32 Place: Zoom
33 Judge: The Honorable Donna M. Ryu

1 I, LLOYD CHAPMAN, declare as follows:

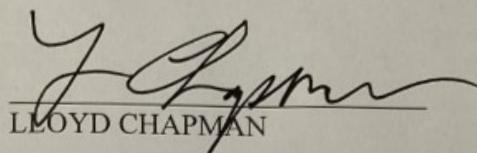
2 1. I am the President of the American Small Business League (“ASBL”), which is the
3 plaintiff in this action. I make this declaration of personal knowledge and if called as a witness I
4 could and would testify competently to the facts stated herein, except as to matters stated on
5 information and belief, and as to them I believe them to be true.

6 2. ASBL is an organization based in Petaluma that focuses on promoting the interests
7 of small businesses and educating the public about government operations. ASBL obtains
8 information it receives through Freedom of Information Act (“FOIA”) requests and other sources.
9 ASBL has been previously successful in prior FOIA litigation against other federal agencies.
10 ASBL distributes information obtained through FOIA requests in multiple ways, including but not
11 limited to press releases, news articles and op-eds, television appearances, and podcasts. In
12 addition, in reviewing government policies, programs, spending and procedures, ASBL uses this
13 information to investigate the effectiveness of government programs intended to help small
14 businesses, specifically the Small Business Act requirement that 23 percent of all federal
15 contracting dollars must go to small businesses, five percent of which must be allocated to
16 contracts with women-owned businesses. In its efforts to determine whether the federal
17 government actually met the 23 percent goal and accurately represented such achievement, ASBL
18 sought data regarding the total federal dollars devoted to acquisitions, and data regarding the
19 number of federal dollars spent on small business contracting.

20 3. ASBL made two prior FOIA requests to defendant United States Office of
21 Management and Budget (“OMB”) in 2013 and 2017 for the total annual dollar volume of all
22 federal acquisitions for Fiscal Years 2012 and 2016, respectively. Instead of providing responsive
23 documents, OMB informed me that records sought by both requests were publicly available and
24 sent me links to the home page for two of its online databases: USA Spending.gov and the Federal
25 Procurement Data System (fpds.gov). OMB did not inform me where in these databases the
26 information was located or explain how to access the information. I am informed and believe that
27 the total federal acquisition budget exceeds \$1 trillion.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed this 10 day of February 2022 in Indian Wells, California.

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6 LLOYD CHAPMAN

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